

CHARGE: 402(a)(3)—contained rodent excreta; and 402(a)(4)—held under insanitary conditions.

DISPOSITION: 6-26-63. Default—denatured and sold by the Government for industrial use.

### MACARONI AND NOODLE PRODUCTS

28909. Egg noodles, macaroni, and spaghetti. (F.D.C. No. 45549. S. Nos. 32-313/16 R, 32-318 R.)

INFORMATION FILED: 8-14-61, E. Dist. N.Y., against DeMartini Macaroni Co., Inc., Brooklyn, N.Y.

SHIPPED: 9-16-60, from Brooklyn, N.Y., to Long Branch and Neptune, N.J.

LABEL IN PART: "Egg Noodle Product Enriched Quality Product Net Weight One Pound The DeMartini Macaroni Co., Inc. Brooklyn, New York," "Macaroni Product Net Weight One Pound The DeMartini Macaroni Co. Inc. Brooklyn, N.Y.," "A Quality Macaroni Product Made from Semolina Martini Brand 1 Lb. Net The DeMartini Macaroni Co., Inc. Brooklyn, N.Y.," "Lido Brand Mfgd. By DeMartini Mac. Bklyn., N.Y. Spaghetti 20 Lbs. Net When Packed Semolina Macaroni," and "ELBOWS 20 Lbs. Net When Packed Lido Brand Mfgd. By DeMartini Mac. Brooklyn, N.Y. SEMOLINA MACARONI."

CHARGE: 402(a)(3)—contained filth (insects and insect fragments); and 402(a)(4)—held under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 10-3-62. \$1,000 fine.

28910. Spaghetti, egg noodles, and macaroni. (F.D.C. No. 45192. S. Nos. 34-792 R, 34-794 R, 34-979 R.)

INFORMATION FILED: 3-5-63, E. Dist. N.Y., against G. Santoro & Sons, Inc., Brooklyn, N.Y., and Joseph Santoro.

ALLEGED VIOLATIONS: G. Santoro & Sons, Inc., gave to a company engaged in shipping egg noodles and spaghetti into interstate commerce, a guaranty to the effect that no article shipped under the guaranty would be adulterated; thereafter, on 6-13-60 and 6-16-60, the defendants rendered the guaranty false by shipping quantities of egg noodles and spaghetti which were adulterated, to the holder of the guaranty at Long Island City, N.Y.

On 6-10-60, the defendants also shipped from Brooklyn, N.Y., to Perth Amboy, N.J., quantities of macaroni which were adulterated.

LABEL IN PART: (Ctn.) "Green Circle Macaroni. 20 Lbs Net Dist. By Flagstaff Foods Perth Amboy, N.J."

CHARGE: 402(a)(3)—contained insect fragments; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 4-25-63. Corporation—\$1,500 fine; individual—\$750 fine, \$500 of which was suspended, and probation for 1 year.